

Service Date: December 5, 1989

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

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IN THE MATTER of the Petition of	)	TRANSPORTATION DIVISION
the Board of Commissioners of	)	
Roosevelt County to Require	)	DOCKET NO. T-9138
Installation of Signalling Devices	)	
by Burlington Northern Railroad Co.	)	ORDER NO. 5861a

FINAL ORDER CLOSING DOCKET

Background

On March 8, 1988, following proper notice, the Montana Public Service Commission (Commission) held a public hearing in the Bainville Public School upon the petition of Roosevelt County Board of Commissioners (Roosevelt County).

The petition alleged that extremely hazardous conditions existed at the crossing of Burlington Northern Railroad (BN) at mile post 144.95 on Montana Secondary Route #327, 1.5 to 2 miles west of Snowden Bridge in Roosevelt County, Montana (hereafter called "the Bainville Crossing" for the Bainville School District No. 64 affected by multiple daily school bus crossings).

The Commission found in Proposed Order No. 5861 that hazardous conditions existed at the crossing which required installation of electronic signalling devices. These hazardous conditions were in addition to the factors used in the HazardIndex guidelines by the Montana Highway Department for evaluating the need for warning devices at public crossings.

The hazardous conditions included the growing traffic of tourists to the national historic site at nearby Fort Union and the extensive use of the road to transport school children in this area of frequent fog and a curve in the road obstructing the view.

The Commission issued Proposed Order No. 5861 on August 12, 1988 directing BN to install and maintain electronic signalling devices at the Bainville crossing.

BN filed exceptions to the Proposed Order on August 25, 1988.

BN has notified the Commission that electronic signalling devices, that is, crossing lights and gates, "were activated" on August 23, 1989 at Snowden-Mile Post 144.95 (the Bainville Crossing).

WHEREFORE, the Commission issues the following:

ORDER

It is ordered that this Docket No. T-9138 is hereby closed given the compliance of BN in installing the electronic signalling devices at the Bainville Crossing.

Done and dated this 5th day of December, 1989 by a vote of  
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BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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CLYDE JARVIS, Chairman

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HOWARD L. ELLIS, Vice Chairman

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JOHN B. DRISCOLL, Commissioner

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WALLACE W. "WALLY" MERCER, Commissioner

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DANNY OBERG, Commissioner

ATTEST:

Ann Peck

Commission Secretary

(SEAL)

NOTE: Any interested party may request that the Commission reconsider this decision. A motion to reconsider must be filed within ten (10) days. See ARM 38.2.4806.